

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57053 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- TARIYANI CHOWK District- Sheohar

Lalpari Devi W/O- Khobhari Ram Village- Mohari Ps- Tariyani Dist- Sheohar
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Jyoti Kumari, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Tariyani P.S. Case No. 287 of 2022 registered for the offenses punishable under Sections 363, 365, 366, 366(A), 34 of the Indian Penal Code. The petitioner has no criminal antecedent.

3. As per the prosecution story, the informant alleged that one Madhurendra Ram used to teach his minor daughter for last six months and on 21.09.2022 said Madhurendra Ram took his daughter to appear in the examination of Kushahar High School and did not return. When he went to inquire about his daughter, one Khobhari Ram, Lalpari Devi (this petitioner) and others abused him. The villagers told the informant that Madhurendra Ram was seen going with his daughter via auto.



4. Learned counsel for the petitioner submits that the main accused Madhurendra Ram has already been granted privilege of pre-arrest bail by learned 1st Additional Sessions Judge-cum-Special Judge, Sheohar in ABP No. 102 of 2023.

5. Learned counsel submits that this petitioner is the mother of the main accused Madhurendra Ram. It is further pointed out that there is no specific allegation of participation in the alleged occurrence against this petitioner.

6. Learned APP for the State has opposed the prayer for bail of the petitioner.

7. Having regard to the facts and circumstances of the case wherein this Court has noticed the submission of learned counsel for the petitioner that the main accused Madhurendra Ram has already been granted privilege of anticipatory bail by learned 1st Additional Sessions Judge-cum-Special Judge, Sheohar in ABP No. 102 of 2023 and so far as this petitioner is concerned, she is a 63-years old lady and mother of said Madhurendra Ram against whom there is no specific allegation of participation in the alleged occurrence, in the circumstances, this Court directs that in case of her arrest or surrender within a period of four weeks from today, let the petitioner be released on bail in connection with Tariyani P.S. Case No. 287 of 2022



on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheohar subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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